

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

JANSSEN PRODUCTS, L.P. and
JANSSEN SCIENCES IRELAND UC,

Plaintiffs,

v.

CIPLA LTD. and CIPLA USA, INC.,

Defendants.

Civil Action No. 14-05093-WHW-CLW

STIPULATION OF DISMISSAL

WHEREAS, Defendants Cipla Ltd. and Cipla USA, Inc. ("Cipla") have filed or caused to be filed Abbreviated New Drug Application No. 206-288 (the "ANDA") containing a "paragraph IV certification" with respect to certain U.S. Patents, including, amongst others, U.S. Patent Nos. 7,700,645 B2 (the "'645 Patent") and 8,518,987 B2 (the "'987 Patent") and seeking approval to make, sell, offer for sale, use and/or import in the United States a product under or described in the ANDA (the "Cipla Product");

WHEREAS, Plaintiffs Janssen Products, L.P. and Janssen Sciences Ireland UC ("Janssen") have filed a claim for infringement of the '645 Patent and the '987 Patent, and for a declaratory judgment of infringement of U.S. Patent Nos. 7,126,015 B2 (the "'015 Patent") and 7,595,408 B2 (the "'408 Patent") which is pending before this Court;

WHEREAS, Janssen has also filed a complaint against Cipla in the United States District Court for the District of Delaware in an action captioned *Janssen Products L.P. et al. v. Cipla Limited et al.*, No. 14-cv-01056-SLR (the "Delaware Action"), which also includes claims for infringement and/or a declaratory judgment of infringement of the '645 Patent, the '987 Patent, the '015 Patent, and the '408 Patent (the "Janssen Patents");

WHEREAS, on April 30, 2015, Janssen and Cipla filed a consent order and judgment in the Delaware Action, in which Cipla admitted that claims of the Janssen Patents are valid and enforceable with respect to the manufacture, use, sale, offer for sale, and importation of Cipla Product in the United States, and that absent a license from Janssen, the manufacture, sale, offer or sale, use or import of the Cipla Product in the United States would constitute infringement of claims of the Janssen Patents;

NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED that Janssen's claims in this action are dismissed with prejudice.

Janssen Products, L.P. and
Janssen Sciences Ireland UC

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DATED: May 4, 2015

SO ORDERED:


Hon. William H. Walls, U.S.D.J.